

Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, D.C. 20554

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In the Matter of)
)
 Amendment of the Commission's Rules to Establish)
 Rules and Policies Pertaining to a Mobile Satellite) CC Docket No. 92-166
 Service in the 1610-1626.5/2483.5-2500 MHz)
 Frequency Bands)

REPLY

The Wireless Cable Association International, Inc. ("WCAI"), by its attorneys and pursuant to Section 1.415(c) of the Commission's Rules, hereby briefly replies to the comments filed by TRW, Inc. ("TRW") in which TRW proposes that the Commission require Instructional Television Fixed Service ("ITFS") licensees to further attenuate out-of-band emissions at their own expense in order to benefit Mobile Satellite Service ("MSS") systems.

A. The Record Demonstrates That MSS Systems Can Operate Without Further Attenuation of ITFS Out-of-Band Emissions.

In its initial comments, WCAI expressed concern that the Commission was proposing to burden ITFS licensees with greater restriction on out-of-band emissions without any evidence that additional attenuation of out-of-band emissions is necessary.^{1/} Significantly, no technical analysis was submitted by TRW or any of the other commenting parties in this proceeding demonstrating that greater attenuation of out-of-band emissions is required to protect MSS. Indeed, MSS proponent Loral/QualComm Partnership, L.P. ("Loral") submitted

^{1/}See Comments of WCAI, CC Docket No. 92-166, at 8 (filed May 5, 1994) [hereinafter cited as "WCAI Comments"].

a detailed technical analysis demonstrating that additional restrictions on out-of-band emissions by ITFS stations are unnecessary. Loral correctly concludes "there is no need to employ spectrum inefficient guard bands or to modify ITFS transmitters with sharper filters in order to provide MSS operation up to 2500 MHz."^{2/} WCAI strongly agrees with Loral's conclusion.

In short, the record before the Commission is devoid of any technical support for restrictions on out-of-band emissions from ITFS stations in order for MSS to operate without interference from the 2.5 GHz band. To the contrary, the only detailed technical analysis in the record establishes that no new restrictions on ITFS out-of-band emissions are necessary to permit MSS operations.

B. If Any Further Attenuation is Required to Permit the Launch of Speculative MSS Systems, the MSS Community Should Pay All Implementation Costs.

Should the Commission, despite the lack of record support, require additional restrictions on ITFS out-of-band emissions to benefit MSS, implementation costs must be paid for by the MSS system operators that derive the benefit.^{3/} WCAI wholeheartedly agrees with the National Telephone Cooperative Association ("NTCA"), which urged the Commission "to adopt rules that provide adequate protection and compensation to incumbent ITFS/MMDS

^{2/}Comments of Loral, CC Docket No. 92-166, at Technical Appendix, p. 27 (filed May 5, 1994) [hereinafter cited as "Loral Comments"].

^{3/}See WCAI Comments, at 3.

operators for any costs they will be required to incur in connection with needed station improvements to accommodate MSS.”^{4/}

While TRW provides absolutely no technical analysis that would even suggest additional restraints on ITFS out-of-band emissions are required, TRW (and only TRW) has the temerity to suggest that ITFS licensees should bear the costs associated with further attenuating out-of-band emissions. TRW wrongly suggests that Section 74.936(b) of the Rules places “[t]he onus . . . on the ITFS operator to provide the required interference protection to adjacent band services.”^{5/} In fact, while Section 74.936(b) does require an ITFS licensee to cooperate in the reduction of out-of-band emissions should they cause harmful electrical interference, that section does not necessarily mandate that the ITFS licensee bear the costs of improving attenuation. As WCAI discussed in its initial comments, the Commission has historically required newcomers to pay for necessary equipment upgrades, particularly where the ITFS has been concerned.^{6/} That policy should be continued here. TRW has failed to provide any reason why the educational and instructional institutions that are licensees of ITFS stations should be forced to bear the expense of modifying their transmission systems so that some of the largest companies in America can launch speculative MSS systems.^{7/}

^{4/}Comments of NTCA, CC Docket No. 92-166, at 2 (filed May 5, 1994).

^{5/}Comments of TRW, CC Docket No. 92-166, at 132 (filed May 5, 1994).


^{6/}See WCAI Comments, at 6-7.

^{7/}Moreover, as WCAI explained in its initial comments, TRW’s assumption that ITFS
(continued...)

WHEREFORE, for the foregoing reasons, no additional restrictions on ITFS out-of-band emissions are warranted at this time. However, if new restrictions requiring greater attenuation are imposed upon ITFS licensees, all costs to implement these restrictions should be borne by the MSS system operators that benefit.

Respectfully submitted,

WIRELESS CABLE ASSOCIATION
INTERNATIONAL, INC.

By: 
Paul J. Sinderbrand
Dawn G. Alexander

Sinderbrand & Alexander
888 Sixteenth Street, N.W.
Suite 610
Washington, DC 20006-4103
(202) 835-8292

Its Attorneys

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²⁷(...continued)
stations will soon be converted into digital technology may be premature. See WCAI Comments, at 7-8.

CERTIFICATE OF SERVICE

I, Candace J. Lamoree, hereby certify that the foregoing Reply was served this 20th day of June, 1994, by depositing a true copy thereof with the United States Postal Service, first-class postage prepaid, addressed to the following:

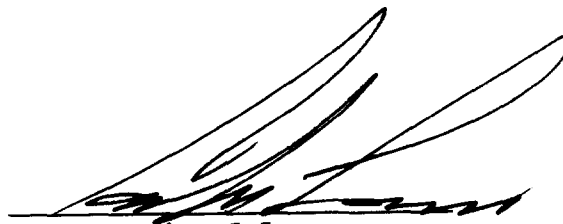
Bruce D. Jacobs
Fisher Wayland Cooper Leader
& Zaragoza, L.L.P.
2001 Pennsylvania Avenue, N.W., Suite 400
Washington, DC 20006

David Cosson, Esq.
National Telephone Cooperative Association
2626 Pennsylvania Avenue, N.W.
Washington, DC 20037

Norman P. Leventhal, Esq.
Leventhal, Senter & Lerman
2000 K Street, N.W., Suite 600
Washington, DC 20006

John T. Scott, Esq.
Crowell & Moring
1001 Pennsylvania Avenue, N.W.
Washington, DC 20004

Leslie A. Taylor, Esq.
Leslie A. Taylor Associates
6800 Carlynn Avenue
Bethesda, MD 20817



Candace J. Lamoree